

### **REMARKS**

Claim 17 was rejected under 35 U.S.C. §103(a) as being unpatentable over Tischer et al. (U.S. 5,301,781) in view of Jager et al. (U.S. 6,516,255). Claims 19 to 25 were objected to as being dependent upon a rejected base claims and would be allowable if rewritten in independent form.

Reconsideration of the application based on the following is respectfully requested.

#### **Rejection under 35 U.S.C. §103**

Claim 17 was rejected under 35 U.S.C. §103(a) as being unpatentable over Tischer et al. (U.S. 5,301,781) in view of Jager et al. (U.S. 6,516,255).

Tischer et al. discloses a clutch for vehicles.

Jager et al. discloses “a method of operating a motor vehicle that is equipped with sensors to detect the rpm-rates of driven wheels.” (See Abstract).

Claim 17 recites, “a hydraulic actuation system, comprising:

a master cylinder unit;

a slave cylinder unit;

a hydraulic medium line connecting the master cylinder unit and the slave cylinder unit;

a throttle valve for adjusting a flow resistance between cylinders of the master cylinder unit and the slave cylinder unit;

an actuator configured to actuate the throttle valve;

a piston sensor configured to detect a movement of a piston in at least one of the cylinder units; and

a control unit connected to the piston sensor and controlling the actuator.”

Admittedly, Tischer et al. fails to teach or show “a piston sensor configured to detect a movement of a piston in at least one of the cylinder units; and a control unit connected to the piston sensor and controlling the actuator,” as recited in claim 17. Furthermore, Jager et al. admittedly does not teach or show “a control unit connected to the piston sensor and controlling the actuator.” There would have been no reason or motivation of one of skill in the art to modify Tischer et al. in view of Jager et al. There is no need for a control unit in Tischer et al. Tischer et al. is a safety device that shuts on or off based on pressure. Having a control unit in Tischer et al., in fact, would be counterproductive for the safety device based on pressure. Tischer et al. is completely controlled by pressure differentials and would not want or need a control unit.

Furthermore, it would not have been obvious to one of skill in the art to modify Tischer et al. in view of Jager et al. Jager et al. is for a master cylinder for variable control and not an on/off switch.

It is respectfully submitted it would not have been obvious to one of skill in the art at the time of the invention to combine Tischer et al. and Jaeger et al. to arrive at the present invention.

Withdrawal of the rejection of claim 17 under 35 U.S.C. §103(a) is respectfully requested.

Allowable Subject Matter

Claims 19 to 25 were objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

In light of the discussion above, withdrawal of the objection to claims 19 to 25 is respectfully requested.

**Conclusion**

No fee is believed required. If any fee is required at this time, the Assistant Commissioner is authorized to charge payment of the same to Deposit Account No. 50-0552.

Reconsideration and allowance of the present application is respectfully requested.

Respectfully Submitted,

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